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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,706	05/22/2001	Shawn R. Gettemy	PALM-3650.US.P	2157

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
2629	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,706

Applicant(s)

GETTEMY ET AL.

Examiner

Jennifer T. Nguyen

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to amendment filed on 2/27/06.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-14 and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (Pub. No. US 2002/0149571) in view of Takahata et al. (US Patent No. US 6,556,189).

Regarding claims 1, 16 and 22, Roberts teaches a display assembly for a handheld electronic device [0048] comprising:

a display mechanism (fig. 7C, floating structure or LCD 401 [0131]);

a plurality of pressure activated sensors (fig. 7C, force sensor principal elements 106 [0085]); and

a housing (figs. 2 and 3) for said display mechanism and said pressure activated sensors, said housing comprising:

an external surface (102, fig. 2) that defines perimeter of said handheld electronic device;

a top cover (i.e., lateral stiffening means 108C) that allows mechanical transfer between said top cover and said plurality of pressure activated sensors (106), wherein said pressure activated sensors (106) can be activated by mechanical pressure applied to the external surface of said cover [0086] and [0141].

Roberts differs from claims 1, 16, and 22 in that he does not specifically teaches the top cover is a single-piece bezel-less and a back cover...external surface is flush.

However, Takahata teaches a housing for enclosing entirely touch panel display, a upper film (6) is a single-piece bezel-less, and a back cover (7) coupled to said single-piece bezel-less top cover such that an area, which represents transition between said back cover and said single-piece bezel less top cover, of said external surface is flush (fig. 1, col. 5, lines 24-38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the housing, upper film, and the back cover as taught by Takahata in the system of Roberts in order to protect the device from the dust environment and prevent damage of inside material.

Regarding claim 2, Roberts teaches the display mechanism (401) is disposed beneath the top cover (108C) and above said plurality of pressure activated sensors (106) (Fig. 7C of Roberts)

Regarding claim 3, Roberts further teaches said display mechanism (401) is in direct contact with said plurality of pressure activated sensors (106) [0084]-[0086], [0127].

Regarding claim 4, Roberts further teaches a fixed electronic circuit layer (105) and the pressure activated sensors (106) are disposed between said circuit layer (i.e., flex print 105) and said display mechanism (401) [0084]-[0086], [0127].

Regarding claims 5, 17, 21, and 25, Roberts further teaches a transparent flexible thermoplastic outer film (108c) and supporting structure (104) that is co-molded to said transparent flexible thermoplastic outer film [0086], [0141].

Regarding claims 6 and 18, Roberts further teaches the transparent flexible thermoplastic outer film has sufficient deflection under external pressure to apply mechanical pressure to said display mechanism which applies pressure to said plurality of pressure activated sensors [0141].

Regarding claims 7 and 13, Roberts further teaches the plurality of pressure activated sensors (106) are operable to register a position where contact is made with said transparent flexible thermoplastic outer film (108C) [0086].

Regarding claims 8, 14, 19 and 24, Roberts further teaches the top cover is a flat top surface free of any indentation (Fig. 7C of Roberts).

Regarding claims 9, 20 and 23, Roberts further teaches an accelerometer (115) operable to identify the parameters of a valid input event [0095].

Regarding claim 10, Roberts teaches top cover is a transparent rigid cover [0097].

Regarding claim 11, Roberts further teaches a back cover (104) [0084]-[0086], [0127].

Regarding claim 12, Roberts further teaches the top cover has sufficient range of motion to allow mechanical transfer between said top cover and said plurality of pressure activated sensors [0084]-[0086], [0127].

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (Pub. No. US 2002/0149571), Takahata et al. (US Patent No. US 6,556,189) in view of Donohue et al. (Patent No. US 6,262,717) and further in view of Singh et al. (Patent No. US 6,400,376).

Regarding claim 15, the combination of Roberts and Takahata differs from claim 15 in that it does not specifically teach the single-piece bezel-less top cover has button functions.

Donohue teaches touch sensitive select zone (29) on the cover plate (31) of the touch display device (Fig. 7, col. 11, lines 11-35). Therefore, it would have been obvious to one of

Art Unit: 2629

ordinary skill in the art at the time the invention was made to incorporate the button functions as taught by Donohue in the system of the combination of Roberts and Takahata in order to improve the display device with easily and efficiently touching the buttons.

The combination of Roberts, Takahata, and Donohue differs from claim 15 in that it does not specifically teach the buttons functions have indentations.

Singh teaches the buttons (60) are recessed (Fig. 5, lines 60-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the recessed buttons as taught by Singh in the system of the combination of Roberts, Takahata, and Donohue in order to operate the device with easily touching the buttons without needing to look at them.

5. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JNguyen
5/8/2006



RICHARD HJERPE
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